

Exhibit 5

Contains Confidential Portions

Page 1

1 JESSE ANGELO
2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF NEW YORK
4 -----X
5 SANDRA GUZMAN,

4 Plaintiff,
5 -against- 09CIV9323 (BSJ) (RLE)
6 NEWS CORPORATION, NYP HOLDINGS, INC., d/b/a
7 THE NEW YORK POST, and COL ALLAN, in his
official and individual capacities.

Defendants

AUSTIN FENNER and IKIMULISA LIVINGSTON

Defendants.

18 VIDEOTAPED DEPOSITION OF JESSE ANGELO
19 New York, New York
20 Wednesday, April 25, 2012

<p style="text-align: center;">Contains Confidential Portions</p> <p style="text-align: center;">Page 34</p> <p>1 JESSE ANGELO 2 reporters right now. 3 Q The four people that you mentioned, 4 are any of them black? 5 MR. LERNER: Objection. 6 A I don't make a habit of taking note 7 of people's racial makeup, but no, I don't 8 believe any of them are black. 9 Q You don't believe any of them are 10 black? 11 It's possible some of them are 12 black but you don't know? 13 MR. LERNER: Objection. 14 A Again, I'm unaware of their racial 15 and ethnic heritage but I don't think any of 16 them are black. 17 Q Who do you report to as executive 18 editor? 19 A Col Allan. 20 Q How often do you speak with Col 21 Allan? 22 MR. LERNER: Objection. 23 A Once every three weeks, once a 24 month. 25 Q Do you have other contact with Col TSG Reporting - Worldwide 877-702-9580 </p>	<p style="text-align: center;">Contains Confidential Portions</p> <p style="text-align: center;">Page 35</p> <p>1 JESSE ANGELO 2 Allan other than speaking to him? In other 3 words, e-mails, telephones -- anything other 4 than verbally speaking to him? 5 A Yes. 6 Q How often do you have any sort of 7 contact with Col Allan? 8 MR. LERNER: Objection. 9 A Depends. It varies. 10 Q Just on an average week, 11 MR. LERNER: Objection. 12 A Again, it depends on the week. 13 Sometimes not at all and sometimes once or 14 twice. 15 MR. CLARK: Could we mark this 16 as Angelo 1. 17 (Angelo Exhibit 1, New York 18 Post managerial flow chart, Bates 19 Number SG-0391, was marked for 20 Identification.) 21 BY MR. CLARK: 22 Q Mr. Angelo, we've marked as 23 Angelo 1 a document Bates-stamped SG-391. 24 I just ask you to take a look at it 25 real quickly. TSG Reporting - Worldwide 877-702-9580 </p>
<p style="text-align: center;">Contains Confidential Portions</p> <p style="text-align: center;">Page 36</p> <p>1 JESSE ANGELO 2 A Okay. 3 Q This appears to be a managerial 4 flow chart for The New York Post, correct? 5 MR. LERNER: Objection. 6 A It purports to be that. That's 7 what those words say but I don't know that 8 it is. 9 MR. LERNER: Hold on. He's got 10 to finish his answer. 11 It purports to be that -- 12 A It purports to be that but I don't 13 know it to be that. 14 Q Is Rupert Murdoch the chairman of 15 News Corporation, as far as you know? 16 A Yes. 17 Q Would he be considered the highest 18 ranking person in terms of The New York 19 Post? 20 MR. LERNER: Objection. 21 A Can you repeat question. 22 Q Let me state it a little different. 23 This flow chart indicates Rupert 24 Murdoch is above Paul Carlucci and Col 25 Allan. Would that be an accurate statement TSG Reporting - Worldwide 877-702-9580 </p>	<p style="text-align: center;">Contains Confidential Portions</p> <p style="text-align: center;">Page 37</p> <p>1 JESSE ANGELO 2 of the organization of The New York Post? 3 A No. 4 Q So Rupert Murdoch is not above Col 5 Allan and Paul Carlucci? 6 A Define "above." 7 Q Do you know if either Paul Carlucci 8 or Col Allan report to Rupert Murdoch? 9 A I don't know who they report to. 10 Q Do you know that they do not report 11 to him? 12 A I don't know who they report to. 13 Q Have you ever met Rupert Murdoch? 14 A Yes. 15 Q How many times? 16 A I don't know the number. 17 Q Is it more than ten? 18 A Yes. 19 Q Is it more than a hundred? 20 A I don't know. 21 Q Have you ever spoken with Rupert 22 Murdoch in the newsroom? 23 A Yes. 24 Q How many times? 25 A Dozen. TSG Reporting - Worldwide 877-702-9580 </p>

<p style="text-align: center;">Contains Confidential Portions</p> <p style="text-align: center;">Page 38</p> <p>1 JESSE ANGELO</p> <p>2 Q When was the last time you spoke 3 with Rupert Murdoch in the newsroom?</p> <p>4 A The newsroom of The New York Post?</p> <p>5 Q The newsroom of The New York Post, 6 yes.</p> <p>7 A I would say summer 2010.</p> <p>8 Q In the summer of 2010, what did you 9 speak to Mr. Murdoch about?</p> <p>10 MR. LERNER: Objection. 11 If the topic of the conversation 12 had to do with the editorial process or 13 editorial policy, then I'm going to 14 instruct you not to answer. And if you 15 need advice depending on what the 16 specific answer is, we can talk offline.</p> <p>17 THE WITNESS: Okay.</p> <p>18 A I don't recall what I spoke to him 19 about in the newsroom of The New York Post 20 in summer 2010.</p> <p>21 Q Have you spoken to Rupert Murdoch 22 in any other newsroom than The New York Post 23 newsroom?</p> <p>24 A Yes.</p> <p>25 Q What other newsrooms have you</p> <p>TSG Reporting - Worldwide 877-702-9580</p>	<p style="text-align: center;">Contains Confidential Portions</p> <p style="text-align: center;">Page 39</p> <p>1 JESSE ANGELO</p> <p>2 spoken to Rupert Murdoch in?</p> <p>3 A The Daily.</p> <p>4 Q What is The Daily?</p> <p>5 A The Daily is the first newspaper for the iPad.</p> <p>6 Q Who runs The Daily?</p> <p>7 MR. LERNER: Object to form.</p> <p>8 A I'm the Editor-in-Chief.</p> <p>9 Q Who do you report to?</p> <p>10 A Chase Carey.</p> <p>11 Q So The Daily and The New York Post 12 have separate newsrooms?</p> <p>13 A Correct.</p> <p>14 Q When was the last time you spoke to 15 Rupert Murdoch in the newsroom of The Daily?</p> <p>16 A A year ago.</p> <p>17 Q So 2011?</p> <p>18 A Yes.</p> <p>19 Q What did you speak to Rupert 20 Murdoch about in 2011 in the newsroom of 21 The Daily?</p> <p>22 MR. LERNER: Objection. Same 23 instruction, Mr. Angelo.</p> <p>24 THE WITNESS: What's the</p> <p>25 TSG Reporting - Worldwide 877-702-9580</p>
<p style="text-align: center;">Contains Confidential Portions</p> <p style="text-align: center;">Page 40</p> <p>1 JESSE ANGELO</p> <p>2 instruction?</p> <p>3 MR. LERNER: If the 4 conversation had to do with editorial 5 policy or editorial decision-making, 6 I'm going to instruct you not to 7 answer based on the editorial 8 privilege. And if we need to discuss 9 that so you can understand what the 10 implications of your answer would be, 11 we can do that.</p> <p>12 THE WITNESS: Okay.</p> <p>13 A I showed him the newsroom of 14 The Daily. He had not seen it.</p> <p>15 Q So you didn't talk to him about 16 anything, you just showed him the newsroom?</p> <p>17 A Yes. I walked him around and 18 showed him the desks and the ...</p> <p>19 Q Have you ever discussed editorial 20 content with Rupert Murdoch?</p> <p>21 MR. LERNER: Objection.</p> <p>22 A Have I ever discussed editorial 23 content with Rupert Murdoch?</p> <p>24 Q Yes.</p> <p>25 A I've discussed the news with Rupert</p> <p>TSG Reporting - Worldwide 877-702-9580</p>	<p style="text-align: center;">Contains Confidential Portions</p> <p style="text-align: center;">Page 41</p> <p>1 JESSE ANGELO</p> <p>2 Murdoch.</p> <p>3 Q Had you ever discussed the 4 editorial content of the newspaper?</p> <p>5 MR. LERNER: Of what newspaper?</p> <p>6 Q Fair enough. Of The Daily. Have 7 you ever discussed the editorial content of 8 The Daily with Rupert Murdoch?</p> <p>9 A Yes.</p> <p>10 Q So Rupert Murdoch plays a role in 11 formulating the policies -- of The Daily?</p> <p>12 MR. LERNER: Objection.</p> <p>13 A No.</p> <p>14 Q So why would you discuss editorial 15 policy with Rupert Murdoch if he plays no 16 role in formulating the editorial policies?</p> <p>17 MR. LERNER: Objection.</p> <p>18 A I did not say I discussed editorial 19 policy with Rupert Murdoch. It's a 20 mischaracterization of what I said.</p> <p>21 Q Okay.</p> <p>22 Have you ever discussed editorial 23 policy of The Daily with Rupert Murdoch?</p> <p>24 MR. LERNER: Objection.</p> <p>25 A No.</p> <p>TSG Reporting - Worldwide 877-702-9580</p>

<p style="text-align: center;">Contains Confidential Portions</p> <p style="text-align: center;">Page 50</p> <p>1 JESSE ANGELO 2 Q Did any of these discussions with 3 Rupert Murdoch involve business decisions to 4 be made by The Post or The Daily? 5 MR. LERNER: Objection. 6 A Which discussions? 7 Q Any discussions with Rupert 8 Murdoch, did they involve making business 9 decisions regarding The Daily and/or The New 10 York Post? 11 A Yes. 12 Q What kind of business decisions 13 were discussed with Rupert Murdoch? 14 MR. LERNER: Objection. 15 A Can you be more specific? 16 Q No. 17 I mean what kinds of business 18 issues did you discuss with him? 19 A I discussed overall business 20 decisions, the health of businesses, 21 advertising market. 22 Q So you discussed advertising with 23 Mr. Murdoch? 24 MR. LERNER: Objection. 25 A I discussed the health of the TSG Reporting - Worldwide 877-702-9580 </p>	<p style="text-align: center;">Contains Confidential Portions</p> <p style="text-align: center;">Page 51</p> <p>1 JESSE ANGELO 2 advertising market and the general economy 3 overall with Mr. Murdoch, yes, I have 4 discussed that with him. 5 Q Have you discussed with Mr. Murdoch 6 business decisions to be made by The Daily 7 and/or The New York Post? 8 MR. LERNER: Objection. 9 Do you understand the question? 10 A I really don't. It's an impossibly 11 vague question. 12 Q Well, do you know what "business 13 decisions" are? 14 A I would like you to define them, 15 actually. 16 Q What do you understand when someone 17 says a business decision has to be made 18 what. Do you believe that means? 19 MR. LERNER: Objection. 20 A A business decision may be 21 a potential hire. 22 Q Have you ever discussed a potential 23 hiring with Mr. Murdoch? 24 A No. 25 Q Have you ever discussed potential TSG Reporting - Worldwide 877-702-9580 </p>
<p style="text-align: center;">Contains Confidential Portions</p> <p style="text-align: center;">Page 52</p> <p>1 JESSE ANGELO 2 firing with Mr. Murdoch? 3 A No. 4 Q Have you discussed any personnel 5 decisions with Mr. Murdoch? 6 A No. 7 Q What else would be something in 8 your mind would be a business decision? 9 MR. LERNER: Objection. 10 A Again, in the course of doing 11 business, there's any one of thousands of 12 decisions that one makes. 13 Q In your discussions with 14 Mr. Murdoch, has Mr. Murdoch ever informed 15 you of anything you would consider a 16 business decision involving The Daily and/or 17 The New York Post? 18 MR. LERNER: Objection. 19 A Can you repeat the question. 20 MR. CLARK: Can you read the 21 question back. 22 (Requested portion of record read: 23 "Q. In your discussions with 24 Mr. Murdoch, has Mr. Murdoch ever 25 informed you of anything you would TSG Reporting - Worldwide 877-702-9580 </p>	<p style="text-align: center;">Contains Confidential Portions</p> <p style="text-align: center;">Page 53</p> <p>1 JESSE ANGELO 2 consider a business decision involving 3 The Daily and/or The New York Post?" 4 (End of read-back.) 5 A Yes. 6 Q What did he tell you? 7 MR. LERNER: Objection. 8 I'm sorry. This is impossibly 9 vague, Paul. 10 You're not asking about a specific 11 conversation. You haven't defined -- 12 restricted it to any kind of topic. We 13 don't know when the conversation 14 happened. 15 It's just an impossibly vague 16 question. I don't think the witness 17 could possibly answer it in any 18 meaningful way. 19 Q Do you recall specific 20 conversations in which you had discussions 21 with Rupert Murdoch about business 22 decisions? 23 MR. LERNER: Objection. 24 A Yes. 25 Q How many conversations do you TSG Reporting - Worldwide 877-702-9580 </p>

<p style="text-align: center;">Contains Confidential Portions</p> <p style="text-align: center;">Page 58</p> <p>1 JESSE ANGELO 2 decisions, anything like that. 3 MR. LERNER: Objection. 4 Q Is that fair? 5 A Again, I can recall speaking about 6 advertising. 7 Q Do you have specific recollections 8 of discussing advertising with Mr. Murdoch? 9 A Yes. 10 Q What was said on those specific 11 occasions that you recall where you 12 discussed advertising with Mr. Murdoch? 13 A I recall speaking with him once 14 about the state of the advertising market 15 overall and the economy after the financial 16 crash in 2009. 17 Q Have you ever discussed with him 18 advertising for the paper? When I say "the 19 paper," I mean The New York Post and/or 20 The Daily. 21 MR. LERNER: Objection. 22 A Yes. 23 Q What types of discussions did you 24 have regarding advertising for the paper 25 with Mr. Murdoch?</p>	<p style="text-align: center;">Contains Confidential Portions</p> <p style="text-align: center;">Page 59</p> <p>1 JESSE ANGELO 2 MR. LERNER: Objection. 3 A I'm sorry. Can you repeat the 4 question. 5 MR. CLARK: Could you read it 6 back, please. 7 (Requested portion of record read: 8 "Q. What types of discussions did 9 you have regarding advertising for the 10 paper with Mr. Murdoch?"") 11 (End of read-back.) 12 A I remember telling him about a BMW 13 ad that ran in The Daily, because it was a 14 good ad. It was an innovative ad. 15 Q So you discussed specific 16 advertisements with Mr. Murdoch? 17 MR. LERNER: Objection. 18 A I just told you of a conversation 19 that I had with him about a BMW 20 advertisement that appeared in The Daily. 21 Q So yes, you have discussed with 22 Mr. Murdoch specific advertisements? 23 MR. LERNER: Objection. 24 A I just told you of a situation, 25 yes.</p>
<p style="text-align: center;">Contains Confidential Portions</p> <p style="text-align: center;">Page 60</p> <p>1 JESSE ANGELO 2 Q Have you ever sought guidance from 3 Mr. Murdoch about what types of 4 advertisements you should look for for the 5 paper? 6 A No. 7 Q Have you ever sought guidance from 8 Mr. Murdoch on what types of stories should 9 be run in the paper? 10 A No. 11 Q Has he ever given you any guidance 12 whatsoever on what types of stories should 13 be run in the paper? 14 MR. LERNER: Objection. 15 A Not that I recall. 16 Q Prior to summer 2010, do you 17 remember the next most recent time that you 18 spoke with Mr. Murdoch in The New York Post 19 newsroom? 20 A No. I don't recall. 21 Q Have most of your discussions with 22 Mr. Murdoch been in The Daily newsroom, or 23 in The Post newsroom? 24 MR. LERNER: Objection. 25 A Can you repeat the question.</p>	<p style="text-align: center;">Contains Confidential Portions</p> <p style="text-align: center;">Page 61</p> <p>1 JESSE ANGELO 2 Q Have most of your discussions with 3 Mr. Murdoch when you've spoken with him 4 face-to-face been in The New York Post 5 newsroom, or the in daily newsroom? 6 MR. LERNER: Objection. 7 A I have spoken to him more in 8 The New York Post newsroom than in The Daily 9 newsroom. 10 Q Is that simply because you worked 11 for a longer period of time in The New York 12 Post newsroom? 13 MR. LERNER: Objection. 14 A That's your supposition, not mine. 15 Q I'm asking you to answer the 16 question. 17 A I don't know why. It was more 18 occasions in The New York Post newsroom than 19 in The Daily newsroom. 20 Q Did you speak with Mr. Murdoch more 21 frequently, in terms of the number of times 22 a year, in The Post newsroom or The Daily 23 newsroom? 24 MR. LERNER: Objection. 25 A The Post newsroom.</p>